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Editor's note

This note is produced every Friday by the <u>KPMG Center for Healthcare</u> <u>Regulatory Insight</u> and is intended to be short and succinct, no more than 360 words, to provide a digestible bite of healthcare and life sciences news from the past week. Please share this email with colleagues and other interested individuals, and encourage them to <u>subscribe to our mailing list</u> here.

We welcome your feedback. Let us know if KPMG can help. Please <u>reply</u> <u>here to me</u>, **Larry Kocot**, principal and national leader, KPMG Center for Healthcare Regulatory Insight or simply reply to this email with any comments or requests.



Special Supplement: COVID-19 News

In light of the continuing daily volume of COVID-19 activity and news, we have summarized COVID-19 news for the week in this special supplement.





Healthcare regulatory news

CMS will increase CY2020 inpatient hospital payment 2.5% (\$2.3B); require hospitals to report COVID-19 vaccination rates for workers; and remove requirements on reporting Medicare Advantage contracted rates... CMS proposed allowing state Medicaid programs to pay for home health workers' health/training benefits.

OMB <u>completed review of a rule</u> expected <u>to rescind the Most Favored</u> Nation drug pricing model.

CMS announced that monthly ACA premiums <u>fell 40% on average</u> because of American Rescue Plan enhanced subsidies.

Georgia <u>further delayed the start</u> of its partial Medicaid expansion program... HHS is expected to <u>reject Montana's Medicaid work</u> requirement.

HHS OIG will review FDA's accelerated approval pathway following concerns about approval of Biogen's Alzheimer's drug.

An FDA <u>final rule</u> specifies the <u>types of evidence relevant to determining</u> a product's intended uses. ... HHS awarded a <u>\$1.2M contract to develop procedures</u> for conducting remote, unannounced foreign drug manufacturing facility inspections.





Healthcare law and policy news

CBO projected that the <u>bipartisan Senate infrastructure bill</u> would increase the federal <u>deficit by \$256B</u> over ten years.

Department of Justice (DOJ) joined a whistleblower <u>complaint alleging Kaiser Permanente submitted fraudulent diagnoses</u> for its Medicare Advantage (MA) patients' risk scoring... OIG is <u>auditing Aetna's MA business</u> over its <u>risk-adjustment data</u>... Arrival Medical/Alere <u>will pay \$160M to resolve</u> kickback allegations... FTC <u>withdrew a claim</u> against Abbvie over an alleged pay-for-delay arrangement... DOJ is <u>considering intervening</u> to block UnitedHealth's acquisition of Change Healthcare.

Sanofi will acquire Translate Bio (\$3.2B)... Bayer acquired Vividion Therapeutics (up to \$2B)... WellSky will acquire Healthify... Aspirus acquired seven hospitals and 21 physician clinics from Ascension Wisconsin... Medical University of South Carolina will acquire three LifePoint Health community hospitals (\$75M)... SoftBank has built a \$5B stake in Roche... Morgan Health invested \$50M in Vera Whole Health.

Arizona and Colorado merged health information exchanges.

Kalorama Information reported <u>consumer out-of-pocket healthcare</u> <u>spending reached \$491.6B in 2021</u>, up 10% from 2020... CB Insights <u>reported that investments in telehealth reached a record</u> \$5B in Q2... A <u>Health Affairs</u> study found <u>Medicaid expansion is associated with reduced uninsured surgical hospitalizations</u>... A report found <u>private equity ownership of dental practices increases</u> unnecessary care.

ProPublica reported that thousands of patients received heart pumps that the FDA knew were potentially dangerous.





Questions or comments, please send to ushcinsight@kpmg.com.

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COVID-19 by the Numbers

There have now been over 35.8 million confirmed COVID-19 cases in the US, with a death toll over 615,000... More than 40,000 COVID-19 patients are currently hospitalized; Florida set a record for COVID-19 hospitalizations... Worldwide cases passed 200 million... CDC released data suggesting that fully vaccinated Americans who contract the COVID-19 Delta variant can spread the virus to unvaccinated people.

The country reached President Biden's July 4th goal of at least 70% of adults having received at least one COVID-19 vaccine... 349 million COVID-19 <u>vaccine doses have been administered</u> in the US (roughly 700,000/day over the past week)... Nearly 190 million Americans (<u>68.1% of Americans 12 and older</u> and 90% of Americans 65 and older) have received at least one dose of a COVID-19 vaccine; 165.6 million Americans are fully vaccinated (58.4% of Americans 12 and older)... Experts at an Infectious Diseases Society of America briefing stated that the communicability of the Delta variant <u>could mean the threshold to reach herd immunity through vaccination</u> is over 80%, and potentially as high as 90%.

Executive and Administrative Action

The White House is expected to <u>require nearly all foreign visitors to be vaccinated</u> against COVID-19.

The White House announced it <u>has exported more than 110 million COVID-19 vaccine doses</u> to 65 countries... The US Army <u>awarded Pfizer with a \$3.5B contract</u> to produce 500 million doses of its COVID-19 vaccine for distribution to low- and middle-income countries.

Secretary of Defense Lloyd Austin is <u>seeking authorization to mandate COVID-19 vaccination</u> among active-duty troops.

CDC <u>imposed a new, 60-day federal moratorium on evictions</u> in areas of the country most impacted by the Delta variant.

GAO reported that the Trump Administration <u>added burdens on hospitals during the pandemic by making poorly communicated adjustments</u> to how facilities were required to collect and report capacity data.

Healthcare Regulatory News

OIG reported that, as a result of the pandemic, <u>71% of nursing homes across the country have gone at least 16 months</u> without a quality or safety inspection, required every 15 months.

Healthcare Law, Business, and Policy News

The American College of Obstetricians and Gynecologists and the Society for Maternal-Fetal Medicine recommended that all pregnant individuals be vaccinated against COVID-19... The American Academy of Pediatrics and 11 other organizations recommended COVID-19 vaccines be discussed as part of sports physicals for children.

A <u>Monmouth University poll</u>, conducted before recently revised CDC masking guidance, found that 52% of Americans were at least somewhat supportive of reinstating mask and social-distancing requirements in their state... A Harris poll found that <u>54% of Americans believe the worst</u> of the pandemic is yet to come.

The World Trade Organization, World Health Organization, International Monetary Fund, and World Bank <u>launched a website</u> to collect COVID-19 data on vaccination rates, purchase and delivery of vaccines, and diagnostics and therapeutics.

A <u>Lancet Child & Adolescent Health</u> study found that long-term COVID-19 symptoms are rare in children; 98.2% of children with symptomatic illness recovered within eight weeks.

Surveillance, Testing, and Treatment

FDA plans to have a strategy on COVID-19 booster shots ready by early September... Biden chief medical advisor Anthony Fauci indicated that an additional vaccine for medically vulnerable individuals should be considered "part of what their original regimen should have been," not a booster... Meanwhile, San Francisco will administer "supplemental" Pfizer-BioNTech or Moderna COVID-19 vaccines to people who received the Johnson & Johnson vaccine.

FDA is taking an "<u>all-hands-on-deck approach</u>" to accelerate review of Pfizer-BioNTech's COVID-19 vaccine for full approval, perhaps <u>as soon as early September</u>.

Moderna announced that its <u>COVID-19 vaccine remains 93% effective after six months</u> and that three booster candidates produced "robust antibody responses" against Delta and other virus variants.

Pfizer and Moderna <u>raised prices for their respective COVID-19 vaccines</u> during purchasing negotiations with the European Union.

Johnson & Johnson reported that its <u>COVID-19 vaccine was effective against the Delta variant</u> in a South African trial.

The European Union will <u>secure up to 200 million doses of Novavax's</u> COVID-19 vaccine... Novavax indicated it <u>does not plan to seek an emergency authorization</u> for the vaccine in the US until Q4.

FDA <u>expanded authorization of Regeneron's COVID-19 monoclonal antibody (mAb) treatment</u> as a preventative measure for high-risk individuals who are not vaccinated (or are not expected to mount an adequate immune response to a vaccine) and are 1) <u>exposed to someone with COVID-19</u> or 2) at high risk of exposure to an infected individuals because of infection in the same institutional setting, such as a nursing home or prison.

Eli Lilly and Incyte Corp announced that a clinical trial showed its <u>rheumatoid arthritis drug baricitinib</u> reduced the risk of death in COVID-19 patients on mechanical ventilation.