

### January 14, 2022 | Issue 204

Editor's note

This note is produced every Friday by the KPMG Center for Healthcare Regulatory Insight 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 subscribe to our mailing list here.

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



**Correction:** Last week's ATW360 issue misstated that 6.4% of healthcare workers quit their jobs in November. According to the U.S. Bureau of Labor Statistics, 3.7% of health care and social assistance workers separated from their jobs in November.

#### 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 proposed limited Medicare coverage of Aduhelm (and other amyloid-beta directed monoclonal antibodies) for Alzheimer's beneficiaries in qualifying clinical trials... anticipating lower Medicare costs for Aduhelm, HHS Secretary Xavier Becerra ordered CMS to reconsider the 2022 Part B premium increase.

CMS reported <u>more than 14.2M individuals have enrolled</u> in ACA plans... CMS Administrator Chiquita Brooks-LaSure <u>indicated the agency would increase partnerships with private companies</u> on addressing costs and health disparities.

HHS transmitted <u>user fee agreements (prescription drug, generic drug, biosimilar)</u> to Congress to advance reauthorization legislation.

HRSA <u>updated ACA preventive care and screening guidelines</u> for women and children; ASPE also released <u>a report on how Americans</u> <u>are benefitting</u> from ACA-covered preventive care.

ONC <u>issued a data standard for patient addresses</u> in health records and urged industry adoption.

White House Office of Science and Technology Policy is <u>seeking</u> comments on how digital health technologies can transform "community health, individual wellness, and health equity."





### Healthcare law and policy news

Senate HELP Committee <u>advanced Robert Califf's nomination</u> as FDA Commissioner.

A US District Court <u>authorized Purdue Pharma and the Sackler family</u> to appeal a ruling that threw out their \$4.5B settlement.

Medtronic will acquire Affera (\$925M)... R1 RCM will acquire Cloudmed (\$1.4B)... Pfizer will pay up to \$1.35B to partner with Beam Therapeutics on gene-editing drugs for rare genetic diseases of the liver, muscle, and central nervous system... Bayer will pay Mammoth Biosciences up to \$1.04B to collaborate on gene-editing technologies... Amgen and Arrakis Therapeutics will partner on targeted RNA degrader therapeutics... Morgan Health will partner with Kaiser Permanente to address health disparities... Kaiser Permanente will join Graphite Health as an organizing member to improve interoperability.

46brooklyn reported drug launch prices are rising faster than prices for existing drugs... FAIR Health reported national telehealth insurance claims declined 6.8% September to October after two months of increases... Commonwealth Fund reported health insurance premiums and out-of-pockets costs accounted for 11.6% of median household income in 2020, up from 9% in 2010.

Employment at hospitals and nursing care facilities fell in December, while physicians' offices jobs increased.

Provisional CDC data predict 101,263 drug overdose deaths in the 12month period ending in June 2021, up 3.3% over those already reported.





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

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### COVID-19 by the Numbers

There have now been <u>roughly 64 million confirmed COVID-19 cases</u> in the US, with a death toll over 845,000... The country is now <u>averaging more than 780,000 cases/day</u> more than doubling over the past two weeks; COVID-related deaths are averaging approximately 1,700/day over the past 7 days, up from 1,200 two weeks ago and approaching the peak level of the last wave in September/October.

524 million COVID-19 <u>vaccine doses have been administered</u> in the US (roughly 1.29 million/day over the past week)... Nearly 248 million Americans (<u>84.7% of Americans 12 and older</u>) have received at least one COVID-19 vaccine dose; 208.6 million Americans are fully vaccinated (71.7% of Americans 12 and older); over 78 million Americans have received a booster or additional dose.

#### Executive and Administrative Action

HHS-Labor-Treasury guidance requires private health insurers to reimburse individuals for up to eight over-the-counter COVID-19 tests every month beginning January 15; plans can establish programs at preferred pharmacies and retailers where upfront costs are covered for beneficiaries, although plans must still reimburse up to \$12/test when purchased at other locations.

The White House announced it would <u>make 5 million rapid COVID-19 tests and 5 million lab-based PCR tests available to schools</u> beginning this week... the Administration announced it would <u>purchase 500 million more at-home COVID-19 tests</u> and take steps to make N95 and KN95 masks available and free for Americans... the Department of Defense <u>signed contracts with Abbott, iHealth, and Roche to supply 380 million of the over-the-counter test kits.</u>

The Supreme Court <u>blocked OSHA's rule</u> that would have required <u>more than 80 million workers at large employers to get vaccinated or be tested</u> regularly, while <u>allowing</u> the <u>healthcare worker vaccine</u> requirement for facilities accepting Medicare and Medicaid to stay in place.

CDC is <u>considering updating its mask guidance to recommend</u> that people wear N95 or KN95 masks, while the Administration is <u>considering whether to distribute such masks</u> to all Americans... ASPR <u>plans</u> to award a <u>contract to increase domestic manufacturing</u> of N95 and KN95 masks.

The Biden Administration is <u>deploying 1,000 military medical personnel</u> to six states (NY, NJ, OH, RI, MI, NM) to help hospitals that are overwhelmed with COVID-19.

FDA <u>draft guidance advises device makers</u> to notify the agency at least six months in advance of a potential manufacturing disruption that could threaten the supply chain of products deemed essential during the pandemic.

Federal agencies must begin testing unvaccinated workers starting February 15.

FDA will <u>permit unauthorized laboratory-developed COVID-19 tests to remain on the market</u> while they undergo agency review, so long as appropriate data is submitted for review by today (January 14).

### Healthcare Law, Business, and Policy News

The <u>Senate HELP Committee pressed</u> White House Chief Medical Advisory Anthony Fauci, CDC Director Rochelle Walensky, Acting FDA Commissioner Janet Woodcock, and ASPR Dawn O'Connell on, among other things, the Administration's <u>COVID-19 testing strategy and availability</u>, <u>CDC isolation guidance</u>, access to medical grade masks, and availability of therapeutics.

Providers, <u>including the American Hospital Association</u>, are urging the <u>Biden Administration to renew</u> public health emergency and national emergency declarations before they expire on January 16 and March 1, respectively.

House Speaker Nancy Pelosi said <u>additional federal COVID-19 relief could be added</u> to the legislative package to fund the government after February 18.

An <u>Axios/Ipsos survey found that 57% of Americans</u> have socially distanced in the last week, the highest rate since early May 2021; meanwhile, the numbers of individuals who have gone out to eat (46%), visited friends or relatives (50%), and visited a non-grocery retail store (52%) are the lowest since March/April 2021... A Harris poll found that <u>56% of Americans believe protecting the health and safety of teachers and students is more important than opening schools for in-person learning.</u>

A Commonwealth Fund <u>analysis projected that tripling the pace of COVID-19 booster vaccinations</u> to 2.3 million/day could reduce COVID-19 hospitalizations by more than 35% and deaths by nearly 30% between now and April.

Axios reported that the <u>average cost of a single at-home rapid COVID-19 test is about \$12 in the US</u>, more than in any other country examined and more than twice the cost of a test in France; Canada and UK provide free rapid tests.

#### Surveillance, Testing, and Treatment

CDC recommended that adults who received the two-dose Moderna COVID-19 vaccine <u>receive a booster</u> <u>at least five months afterwards</u>, down from six months and consistent with recent recommended changes for the Pfizer-BioNTech vaccine.

CEOs of <u>Pfizer</u> and <u>Moderna</u> indicated that vaccines to protect against the Omicron variant should be available within months... Pfizer plans to <u>manufacture 50 million to 100 million doses of an updated</u> version of its vaccine to target Omicron.

Moderna expects to report trial data on its COVID-19 vaccine in children ages 2 to 5 by March.

FDA <u>updated the fact sheet</u> for Johnson & Johnson's COVID-19 vaccine to warn about the risk of a rare bleeding disorder.

The federal government <u>agreed to purchase 600,000 more doses of the GlaxoSmithKline-Vir</u> Biotechnology monoclonal antibody, sotrovimab, which appears to be effective against Omicron... the

companies are seeking expansion of the emergency use authorization to <u>allow for use of the therapy as an intramuscular injection</u> (shot), in addition to currently authorized intravenous administration.

The federal government is <u>purchasing of 500,000 doses of AstraZeneca's antibody drug</u> to be used by vulnerable individuals as a preventive measure against COVID-19.

Regeneron <u>plans to test multiple monoclonal antibodies</u> for effectiveness against the Omicron variant and expects to begin trials in humans this quarter.

Novartis is <u>seeking to bring its experimental COVID-19 drug to patients</u> through emergency use authorization prior to final trial results.

Pfizer's CEO said that the company <u>expects to make 120 million courses of its COVID-19 antiviral pill this year</u>, including 30 million in the first half of the year and 7 million in the first quarter.

Novartis will seek approval for its injectable COVID-19 antiviral treatment.