

## **ASHI on the Hill**

The 117<sup>th</sup> Congress and Biden Administration are underway! On Sunday, January 3, 2021, the 117<sup>th</sup> Congress convened. Subsequently, on January 20<sup>th</sup>, 2021, President-elect Joe Biden was sworn in as the 46<sup>th</sup> President of the United States. The following is an overview of activity surrounding the beginning of the new Congress and administration that will set the stage and landscape as ASHI pursues legislative and regulatory victories.

### **117<sup>th</sup> Congress Organizes**

The beginning of the 117<sup>th</sup> Congress requires key congressional committees with jurisdiction over laboratory testing payment and regulation to organize for the next two years. The primary committees with jurisdiction over issues important to ASHI members include the House Energy and Commerce Committee, the House Ways and Means Committee, the Senate Committee on Health, Education, Labor, and Pensions (HELP), and the Senate Finance Committee. In addition to new names joining the ranks of these committees, there are also some key leadership changes of note. Particularly, Rep. Cathy McMorris Rodgers (R-WA) replaced retired Rep. Greg Walden (R-OR) as the top Republican on the House Energy and Commerce Committee, while Rep. Brett Guthrie (R-KY) assumed the top Republican position on the House Energy and Commerce Health Subcommittee. Representative Frank Pallone (D-NJ) is once again chairing the full Energy and Commerce Committee and Rep. Anna Eshoo (D-CA) also continues to chair the Energy and Commerce Health Subcommittee. House Ways and Means Committee leadership remains the same for the 117<sup>th</sup> Congress, with Rep. Richard Neal (D-MA) chairing the full committee, Rep. Kevin Brady (R-TX) serving as the top Republican on the full committee, Rep. Lloyd Doggett (D-TX) chairing the Health Subcommittee, and Rep. Devin Nunes (R-CA) serving as the top Republican on the Health Subcommittee.

In the Senate, both the Finance and HELP Committees have new Republican leadership in the 117<sup>th</sup> Congress, with Senator Richard Burr (R-NC) in the top Republican role on the Senate HELP Committee, and Senator Mike Crapo (R-ID) in the lead Republican position on the Senate Finance Committee. Democratic leadership remains the same on the Senate Finance Committee, with Senator Ron Wyden (D-OR) now chairing the committee, and Senator Patty Murray (D-WA) now chairing the Senate HELP Committee with the new Democratic Majority in the Senate.

### **Biden-Harris Administration Underway**

On President Biden's first day in office, the White House [issued a memo](#) to federal agencies directing them to freeze all agency rules and guidance issued by the Trump Administration that have not taken effect. This will likely impact several Trump Administration "midnight rules"—typically defined as the time period between the presidential election and inauguration day--, including a [final rule](#) issued Nov. 20 by CMS aimed at making more organs available for transplant by revising outcome measures for organ procurement organizations. Additionally, President Biden has signed a host of Executive Orders since assuming office, with a significant focus on combatting the COVID-19 pandemic (A full listing of Presidential actions is available on the White House [website](#).)

In addition to developing a comprehensive coronavirus relief package, confirming political appointees and building out the new administration has been a focus in the early days of the Biden Administration. President Biden has nominated former U.S. Congressman and current California Attorney General Xavier Becerra to be the Secretary of the Department of Health and Human Services (HHS). Mr. Becerra has already received nomination hearings in both the Senate HELP and Finance Committees, and the full Senate will need to vote on his confirmation. In the interim, Norris Cochran is serving as acting HHS Secretary. Additionally, President Biden has nominated Chiquita Brooks-LaSure to be administrator of the Center for Medicare and Medicaid Services (CMS), and has selected Liz Richter as the acting administrator for CMS. In addition to her work on the House Ways and Means Committee staff, Ms. Brooks-LaSure previously served as Deputy Director of Policy and Regulation at CMS, as well as the lead Medicaid analyst for the White House Office of Management and Budget. The Senate Finance Committee will need to hold a nomination hearing for Ms. Brooks-LaSure, and she will also need to be confirmed by the full Senate.

As we look ahead to important milestones for the new administration, release of President Biden's first budget request will be an important development that kicks off the fiscal year 2022 appropriations process. The budget will outline the Administration's top spending and legislative priorities for the coming year. Once the President's budget is transmitted to Congress, senior Administration officials will testify before Congressional committees and provide budget justifications.

As the 117<sup>th</sup> Congress and Biden Administration take shape and undertake their important work, ASHI is working to ensure our members have a seat at the table as policy proposals impacting our labs, histocompatibility testing, and the transplantation arena are developed and advanced.