

# Policy At A Glance:

## Consolidated Appropriations Act, 2023 (H.R. 2617)

*The Consolidated Appropriations Act, 2023 (H.R. 2617) is a \$1.7 trillion funding package for fiscal year 2023, with \$772.5 billion in nondefense discretionary spending and \$858 billion in defense spending. It also includes numerous programs and policies in different areas, including healthcare. This brief will provide an overview of some of the healthcare provisions outlined in the Consolidated Appropriations Act, 2023.*

## Introduction

The Consolidated Appropriations Act (CAA), 2023 (H.R. 2617) was signed into law on December 29, 2022, by President Biden, providing \$1.7 trillion in funding for fiscal year 2023.<sup>1,2,3</sup> This spending package covers many policy proposals, including the ban of TikTok on government-owned devices, modified requirements for drug approvals on the accelerated pathway, and numerous health related provisions.<sup>2,3</sup>

For healthcare, policy provisions include waiving the 4% Medicare Statutory Pay-As-You-Go Act of 2010 (PAYGO) cuts for 2023 and 2024, extending some of the current telehealth waivers and flexibilities related to the COVID-19 public health emergency (PHE) for two additional years, addressing mental health and substance use treatment, and making additional changes in Medicaid coverage policies.<sup>2,4</sup>

This brief will provide an overview of the following health provisions within the CAA, 2023:

1. Access to mental health care and substance use disorders prevention
2. PREVENT Pandemics Act
3. Improvements to Medicare, Medicaid, and CHIP

## Relevant Dates for H.R. 2617<sup>2</sup>

<b>04/16/2021</b>	Introduced in the United States House of Representatives
<b>09/28/2021</b>	Passed by the House
<b>11/15/2022</b>	Passed in the Senate with amendments
<b>12/23/2022</b>	Passed in the House after resolving differences
<b>12/29/2022</b>	Signed by President Biden and became law

Bringing wholeness to individuals and communities, the Institute for Health Policy and Leadership (IHPL) strives to integrate health policy research and education with leadership development. Our goal is to improve the health of our communities by building on our strong heritage of health promotion and disease prevention.

To learn more, visit us at [www.IHPL.llu.edu](http://www.IHPL.llu.edu)



LOMA LINDA  
UNIVERSITY  
HEALTH

## Addressing Mental Health and Substance Use Disorders

During the COVID-19 PHE, individuals throughout the United States faced numerous adverse impacts of the pandemic, including a crisis in child and adolescent mental health, high rates of suicide, and an opioid epidemic.<sup>5</sup> However, within this omnibus budget bill, several measures address and promote access to care for people with mental health disorders and substance use disorders (SUD), including:<sup>2,4,5</sup>

- **Workforce Equity Investments:** Increases the graduate medical education slots by 100 specifically for psychiatry residents or psychiatry subspecialties to expand the behavioral healthcare workforce.<sup>2,4,5</sup>
- **Mental Health/Substance Use Disorders Funding:** Appropriates \$5 million through 2027 for critical behavioral health crisis care across the Department of Health and Human Services (HHS), including the Substance Abuse and Mental Health Services Administration (SAMHSA), the Centers for Medicare and Medicaid Services, and the National Institute for Health, including the National Institute on Minority Health and Health Disparities.<sup>2,4,5</sup>
- **Suicide Prevention Lifeline Improvement:** Appropriates over \$100 million through FY 2027 to support and maintain the suicide prevention hotline. Additionally, HHS must implement a pilot program focused on researching, analyzing, and employing technologies for suicide prevention.<sup>2,4</sup>
- **Medicaid and CHIP Requirements for Health Screenings, Referrals, and Case Management Services for Eligible Juveniles in Public Institutions:** Requires state Medicaid and the Children's Health Insurance Program (CHIP) to provide medically necessary screenings and diagnostic services, including for behavioral health, to eligible juvenile in the 30 days prior to their release from a public institution beginning in 2025.<sup>2</sup> It also requires HHS to recommend best practices to states regarding the development of an effective crisis response continuum of care through Medicaid and CHIP.<sup>2,4</sup>

## PREVENT Pandemics Act

The Prepare for and Respond to Existing Viruses, Emerging New Threats, and Pandemics Act (PREVENT Pandemics Act) was introduced in March 2022.<sup>6</sup> It focuses on lessons learned from the COVID-19 PHE in an effort to strengthen the nation's public health and medical preparedness and response systems during the onset of that pandemic.<sup>6,7</sup> Through H.R. 2617, a White House Office of Pandemic Preparedness and Response Policy will be established to advise the President on these issues. Furthermore, it requires the Strategic National Stockpile to review and revise its contents periodically to ensure its contents are in working condition and ready to be deployed.<sup>7</sup>



# Improvements to Medicare, Medicaid, and CHIP

## The Acute Hospital Care at Home Program

The Acute Hospital Care at Home waiver program was implemented in November 2020 by the Centers for Medicare and Medicaid Services with the intent to increase hospital capacity by allowing Medicare beneficiaries the option to receive acute-level healthcare services in their homes during the COVID-19 PHE.<sup>8</sup> As of December 2022, 114 health systems and 259 hospitals across 37 states are approved to participate in the waiver program.<sup>8,9</sup> H.R. 2617 extends the current Acute Hospital Care at Home waiver initiative until December 31, 2024, and provides greater stability and predictability for hospitals and health systems looking to invest in this healthcare delivery model.<sup>2</sup>

## Twelve Month Continuous Eligibility for Post-Partum Women Enrolled in Medicaid

More than 40% of all births in the US are covered by the Medicaid program.<sup>10</sup> Currently, federal law requires state Medicare programs to cover postpartum care for up to 60 days after birth.<sup>4,10</sup> However, many Medicaid beneficiaries have lost their coverage each year due to the cycle of enrollment, temporary changes in income levels, and administrative changes.<sup>11</sup> In response, the American Rescue Plan Act of 2021 gave states the option to extend Medicaid postpartum coverage to 12 months through a state plan amendment, effective since April

2022.<sup>4,12</sup> As a result, postpartum care has remained continuous and eligible to Medicaid enrollees during the COVID-19 PHE.<sup>12</sup> H.R. 2617 permanently extends the state option to provide 12 months of continuous coverage in Medicaid for postpartum women.<sup>2,4</sup>

## CHIP Extension and 12-Month Continuous Eligibility for Children

Over 80 million Americans, including 45 million children, pregnant women, people with disabilities, and adults are covered by Medicaid and CHIP.<sup>10,12</sup> CHIP is a joint federal-state program that provides health coverage to over seven million low-income, uninsured children with family incomes too high to qualify for Medicaid.<sup>4,13,14</sup> H.R. 2617 permanently provides 12 months of continuous coverage in Medicaid and CHIP for children and reauthorizes the CHIP program through 2029.<sup>2,4</sup>

## Extension of Money Follows the Person

Medicaid's Money Follows the Person (MFP) demonstration provides states services and support to help seniors and people with disabilities move from institutions to home-based care.<sup>15</sup> Currently, 44 states participate in the program and over 90,000 institutionalized individuals have transitioned back to their communities.<sup>4,15</sup> H.R. 2617 provides a four-year extension of the MFP program through fiscal year 2027.<sup>2,4</sup>

## Conclusion

The Consolidated Appropriations Act of 2023 funds the government for FY 2023 and addresses many Medicare payment cuts, extends telehealth waiver flexibilities, and expands Medicaid coverage through 2029. This \$1.7 trillion funding package also addresses several provisions concerning mental health and substance use disorders, fortification of public health efforts to prevent pandemics, and changes to Medicare, Medicaid, and CHIP coverage. These changes are designed to minimize gaps in coverage for Medicare and Medicaid beneficiaries and to improve access to care. In an effort to combat the hardships endured by Americans due to inflation, this bill makes significant investments into the community, funds critical programs supporting middle-class families, and invests in the nation's security.

## References

1. <https://appropriations.house.gov/news/press-releases/house-passes-2023-government-funding-legislation>
2. <https://www.congress.gov/bill/117th-congress/house-bill/2617>
3. <https://news.bloomberglaw.com/tech-and-telecom-law/bgov-bill-summary-fiscal-2023-omnibus-policy-provisions>
4. [https://images.mwe.com/Web/MCDERMOTTWILLEMERYLLP/%7Bb5e37e39-e367-4d57-a118-2a345272a477%7D\\_CAA\\_2023\\_Summary.pdf](https://images.mwe.com/Web/MCDERMOTTWILLEMERYLLP/%7Bb5e37e39-e367-4d57-a118-2a345272a477%7D_CAA_2023_Summary.pdf)
5. <https://www.psychiatry.org/news-room/news-releases/apa-statement-on-federal-spending>
6. <https://www.help.senate.gov/chair/newsroom/press/help-committee-passes-murray-burr-prevent-pandemics-act-in-overwhelming-bipartisan-vote>
7. <https://www.congress.gov/bill/117th-congress/senate-bill/3799/text>
8. <https://www.dhcs.ca.gov/Pages/Acute-Hospital-Care-at-Home-Program.aspx>
9. <https://qualitynet.cms.gov/acute-hospital-care-at-home/resources>
10. <https://www.kff.org/medicaid/issue-brief/medicaid-postpartum-coverage-extension-tracker/>
11. <https://www.kff.org/coronavirus-covid-19/issue-brief/analysis-of-recent-national-trends-in-medicare-and-chip-enrollment/>
12. <https://www.congress.gov/bill/117th-congress/house-bill/1319/text>
13. <https://www.healthcare.gov/medicaid-chip/childrens-health-insurance-program/>
14. <https://www.medicaid.gov/medicaid/national-medicare-chip-program-information/downloads/august-2022-medicare-chip-enrollment-trend-snapshot.pdf>
15. <https://www.kff.org/medicaid/issue-brief/medicaids-money-follows-the-person-program-state-progress-and-uncertainty-pending-federal-funding-reauthorization/>
16. <https://dworakpeck.usc.edu/news/15-mental-health-facts-you-should-know#:~:text=50.5%25%20of%20adults%20in%20the,a%20period%20of%20major%20depression>



## Did you know?

Fifty percent of adults in the US who have substance use disorders also suffer from mental illness, and serious mental illnesses cost the U.S. almost \$200 billion in lost earnings.<sup>17</sup>



LOMA LINDA UNIVERSITY  
HEALTH

Institute for Health Policy and Leadership

11209 Anderson Street  
Loma Linda, CA 92354  
Phone: 909-558-7022  
Fax: 909-558-5638  
[www.IHPL.llu.edu](http://www.IHPL.llu.edu)

Questions?

Please contact Renée Chuang, MS,  
Doctoral Graduate Assistant at the  
Institute for Health Policy & Leadership  
([RChuang@students.llu.edu](mailto:RChuang@students.llu.edu)).