Congress returned to session this week after the July 4th holiday recess and immediately began work on their busy legislative agenda before the August recess period. On Friday, the House passed the fiscal year (FY) 2023 National Defense Authorization Act (NDAA), which authorizes funds for national defense that still need to be appropriated through funding bills. The Senate has not yet voted on its version of the bill, but a version is expected to be considered in September. The Senate is also planning to release their spending bills before the August recess. This comes after the House Appropriations Committee released all twelve spending bills before the July 4th holiday. Full spending bills are still not expected to be signed into law before the fiscal year ends on September 30th and a continuing resolution will be needed to continue funding federal agencies. Next week, the Senate is preparing to vote on a bill providing $52 billion in funding for semiconductor production as soon as Tuesday. The bill is deemed by many lawmakers to be necessary to keep up with the semiconductor production capacity of China and is expected to pass when it reaches the Senate floor.
climate change, and funding to support U.S. allies considering Russia’s war in Ukraine receiving much of the proposed increase. The bill also promotes diversity, equity, and inclusion, including a provision of $108 million in funding, as well as new authorities and guidance to the Secretary of State and USAID Administrator to diversify the diplomatic and development workforce.

A full analysis of the bill with additional details can be found here.

Congressional Update: Summer 2022 Congressional Forecast

Democrats are nearing the end of the 117th Congress and are looking to show significant progress ahead of the November mid-term elections in advancing major legislation with significant impacts for defense, health care, and science and technology issues. Democrats and Republicans remain cautiously hopeful that negotiations over several major packages that generally have bipartisan support will result in key policy achievements with resonance among both parties.

With only 25 working days left in the House and 45 in the Senate before Congress adjourns ahead of the midterms, the agenda of must-pass and priority legislation is daunting.

A document providing a forecast of major legislation being considered, including potential timelines, outcomes, and barriers to passage can be found here.

Policy Update: CMS Proposes to Reduce Physician Pay for 2023

The Centers for Medicare & Medicaid Services (CMS) issued the Calendar Year (CY) 2023 Physician Fee Schedule (PFS) proposed rule. In keeping with budget neutrality requirements, CMS set the CY 2023 conversion factor to $33.08, a decrease of $1.53 compared to the CY 2022 PFS conversion factor of $34.61. According to CMS, the lower conversion factor incorporates the statutory required conversion factor of at least zero percent and the expiration of the three percent increase in PFS payments for CY 2022 set by Congress and signed into law by the Protecting Medicare and American Farmers from Sequester Cuts Act. In addition to the conversion factor, below are additional policy adjustments in the proposal.

Behavioral Health Services

Given the increased need for behavioral health providers in the Medicare, the proposed rule calls for allowing certain behavioral health professionals, such as licensed professional counselors and marriage and family therapists, to provided services under the general supervision of a physician, rather than direct supervision. The proposal follows the goals of the 2022 CMS Behavioral Health Strategy which include strengthening equity, access, and quality in behavioral and mental health care services, improving access to substance use disorder (SUD) prevention, treatment and recovery services, effective pain treatment and management, and better utilization of data across Medicare, Medicaid, the Children’s Health Insurance Program (CHIP), and private health insurance. CMS is also proposing to pay for clinical psychologists and licensed clinical social workers to provide integrated behavioral health services as part of a patient’s primary care team, through the creation of a new “G Code.”

Telehealth Services

UMN Washington Update
Prepared by Lewis-Burke Associates LLC
July 15, 2022
In the CY 2021 PFS final rule, CMS created a third category of criteria for adding services to the Medicare Telehealth Services List on a temporary basis following the end of the COVID-19 public health emergency (PHE), known as Category 3. This new category is for services that were added to the Medicare Telehealth Services List during the PHE for which there is likely to be clinical benefit when furnished through telehealth, but there is not sufficient evidence available to consider the services for permanent addition under the Category 1 or Category 2:

- Category 1 services are those that are already approved on the Medicare telehealth list such as professional consultations, office visits and office psychiatry services.
- Category 2 is for services that are not similar to current telehealth services on the Medicare list but are beneficial for the patient.

In line with what Congress created in the FY 2022 appropriations package, CMS is proposing to include a number of services in Category 3 temporarily through CY 2023. CMS is also proposing to extend the duration of time that services are temporarily included on the telehealth services list during the PHE but are not including them in any of the categories for a period of 151 days following the end of the PHE.

**Expansion of Coverage for Colorectal Cancer Screening**

For CY 2023, CMS is proposing to have follow-up at-home colonoscopy tests be considered a preventive service. This would allow Medicare beneficiaries to not have to pay for the test. CMS is also proposing to align its policy with the United States Preventive Services Task Force for certain colorectal cancer screening tests by reducing the minimum age payment limitation to age 45.

**Dental Services**

Medicare Part B currently pays for dental services, which are considered medically necessary to treat a beneficiary’s primary medical condition. CMS is proposing to pay for dental services, such as dental examination and treatment, preceding an organ transplant. The agency is also seeking comment on other medical conditions for which Medicare should cover dental services, such as for cancer treatment or joint replacement surgeries. The 60-day comment period ends on September 6, 2022.

**Sources and Additional Information:**


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**Agency Update: NSF Engines Roadshow Takeaways**

In May 2022, the National Science Foundation (NSF) released a Broad Agency Announcement (BAA) for its long-awaited Regional Innovation Engines (NSF Engines) program, a signature initiative from the new cross-cutting Technology, Innovation, and Partnerships (TIP) Directorate. In the following weeks, NSF began efforts to support “teaming” between interested applicants through a series of regionally focused webinars, called “NSF Roadshows,” to promote collaboration and generate competitive topic area ideas. In addition to networking purposes, the Roadshows were an early effort by NSF to get potential applicants familiar with larger ecosystem-building concepts, as each Roadshow included a brief panel discussion with relevant innovation and economic development experts. Lewis-Burke Associates, LLC attended each of the Roadshows.
and has created the attached informal guide based on some recurring themes. While not an exhaustive list of key points or encompassing of NSF’s expectations for regional ecosystems (more on that is laid out in the BAA), this document is intended to help orient interested applicants as the competition shifts to the next phase, focused largely on teaming and ecosystem-building.

Following the conclusion of the NSF Roadshows, NSF will be hosting a Proposer’s day in August for organizations who have submitted Concept Outlines. More information on the NSF Engines Roadshow can be found here, along with links to each recording.

Funding Opportunities: EPA Releases Two Funding Opportunities Related to Water Quality

Research on Disinfectants, Disinfection By-products (DBPs), and Opportunistic Pathogens in Drinking Water Distribution Systems Request for Applications (RFA)

The Office of Research and Development’s (ORD) Consolidated Research/Training/Fellowships Program released a national priorities competition focused on research on disinfectants, disinfection by-products (DBPs), and opportunistic pathogens in drinking water distribution systems. This program supports research that is national in scope and addresses environmental issues high-priority water quality and availability. The two research areas that must be addressed by project proposals are:

1. “Evaluation of opportunistic pathogens in drinking water distribution systems; and
2. Evaluation of DBPs,” specifically the occurrence and volume of unregulated DBPs in drinking water distribution systems.

To maximize EPA’s outreach and involve communities that have traditionally been excluded, EPA encourages applications from minority serving institutions (MSIs).

Applicants must submit a collaboration plan which should outline cooperative partnerships and how they will play a role in the project and how the project will engage with states, tribes, and utilities to demonstrate impact.

Eligible applicants include Institutions of Higher Education, nonprofits, and national laboratories. EPA anticipates making approximately $8.492 million available for up to four awards under this program, project proposals must be for less than $2.123 million, including direct and indirect costs. There is a minimum of 25 percent federal cost share. Applications are due by August 31, 2022 and the EPA will hold an informational webinar about this opportunity on July 20, 2022, with registration and other details available here.

Training and Technical Assistance for Rural, Small and Tribal Municipalities and Wastewater Treatment Systems
The EPA has made $18 million available through its Training and Technical Assistance for Rural, Small and Tribal Municipalities and Wastewater Treatment Systems for Clean Water Act Prevention, Reduction, and Elimination of Pollution Program. This program supports the provision of technical assistance and training to underserved wastewater systems to diagnose and trouble-shoot problems related to wastewater system operations and to help generate solutions. Activities accepted under this program include circuit-rider and multi-state regional technical assistance programs, training and site visits, online webinars, and technical assistance to diagnose problems related to wastewater system operations and to help generate solutions.

EPA anticipates making between eight and 22 awards for project periods of up to three years. Awards will be made in five broad priority areas, of which applicants must only address one:
1. Acquisition of Finance/Funding;
2. Protect Water Quality and Compliance Assistance;
3. Tribal
4. Decentralized Systems; and
5. Lagoon Systems.

Public and private nonprofit organizations are eligible to apply and applications are due August 22, 2022.

**Funding Opportunity: Department of Labor: Nursing Expansion Grant Program**

The Department of Labor (DOL) Employment and Training Administration (ETA) released a forecasted funding opportunity announcement to address challenges in training the nursing workforce and expand and diversify the pipeline of qualified nursing professionals. The program will consist of two training tracks:

1) **Nurse Education Professional Track:** This track will focus on increasing the number of clinical and vocational nursing instructors and educators. Proposals can support the training or upskilling of new or experienced nurses into “advanced postsecondary credentialed necessary for nurses to become clinical and vocational nursing instructors and educators.” Proposals should include efforts to “develop training partnerships between clinical settings and education and training providers to support accelerated learning and expanded access to clinical residencies and specialty care rotations.”

2) **Nursing Career Pathway Track:** This track will support the training of healthcare professionals and paraprofessionals, including direct care workers, “to advance along a career pathway and attain postsecondary credentials needed for middle- to high-skilled nursing occupations.”

**Eligible Applicants:** Institutions of higher education and other nonprofit entities.

**Total Funding and Award Size:** DOL intends to award approximately $80 million in grant funds to make approximately 25 awards. The estimated range of awards is $1 to $6 million.

**Application Deadline:** The forecasted posting date for the funding announcement is August 9, 2022. The expected deadline for applications is October 23, 2022, at 11:59pm EST.

Given that this is a forecasted opportunity, details on the competition are limited. Interested applicants should consider reviewing DOL’s H-1B Rural Healthcare Grant Program, which was released in 2020 and may inform priorities or structure for this solicitation. More information on that competition is available [here](#).

**Sources and Additional Information:**
The grant opportunity is available at https://www.grants.gov/web/grants/view-opportunity.html?oppId=341995.

Funding Opportunity: NASA Releases Sixth ULI Solicitation

The National Aeronautics and Space Administration (NASA) Aeronautics Research Mission Directorate (ARMD) has released a solicitation for its sixth University Leadership Initiative (ULI) competition. Established in 2015, ULI supports university-led teams conducting research to address specific topics relevant to ARMD’s mission while contributing to the long-term health and diversity of the aeronautical workforce. ULI projects are each funded at $1-2 million annually over a performance period of between three and five years depending on the topic area.

Step-A proposals are due August 30, 2022 and invited Step-B proposals are due 50 days after teams are notified. Interested proposers are encouraged to add themselves to the Interested Partner List and participate in the Applicant’s Workshop on July 14, 2022 at 1:00 PM-3:00 PM ET to learn more about the program.

Additional information on the ULI competition, guidance on developing successful proposals, and analysis of previously funded ULI projects can be found here.

Funding Opportunity: NSF Releases Partnership to Advance Conservation Science and Practice Solicitation

The National Science Foundation (NSF) has published a solicitation for the new Partnership to Advance Conservation Science and Practice (PACSP) program jointly funded by NSF and the Paul G. Allen Family Foundation, NSF’s first public-private partnership focused on conservation. This program was previewed during the most recent meeting of the NSF Directorate for Biological Sciences (BIO) meeting in May as part of NSF’s growing emphasis on climate change within the Directorate’s focus area of Life on a Warming Planet, following BIO’s recent competitions of Organismal Response to Climate Change (ORCC) and Biodiversity on a Changing Planet (BoCP). The PACSP program aims to support transdisciplinary research to contribute to development and implementation of practices or technologies to promote biodiversity conservation. NSF is soliciting proposals involving partnerships between academic institutions and conservation organizations to conduct continuous assessments that inform effectiveness and scientific understanding of conservation activities. Projects must utilize both basic and applied conservation research, and the basic research aspect must be focused on a biodiversity conservation need.

Proposals should seek to integrate:
1. “Basic research questions motivated by an urgent biodiversity conservation need;
2. The development and implementation of science-informed conservation actions specifically related to the biodiversity conservation need; and
3. A plan for ongoing evaluation or assessment of the success of the conservation action to inform both the science and efficacy of the conservation action.”
Projects can focus on basic research in organismal biology, ecology, or evolution that informs the development or execution of conservation practices and may place interest at any ecological level including a particular species, groups of species, communities, or ecosystems.

NSF encourages proposals to holistically consider climate change, conservation, and ecosystem and organism health, and additionally encourages proposals that involve the recruitment and training of underrepresented groups. PACSP is seeking proposals that will improve data collection, analysis, visualization, and dissemination in support of resource management and conservation outcomes. Applicants must discuss potential large-scale societal impacts of the project. NSF will prioritize proposals that develop or strengthen partnerships between conservation researchers, practitioners, and interested or impacted human communities.

**Due Dates:** Full proposals are due **October 11, 2022** by 5:00pm submitter’s local time.

**Total Funding and Award Size:** NSF anticipates making four to eight awards for projects up to three years in duration, with total program funding of $8,000,000.

**Eligibility and Proposal Limitations:** Eligible entities include U.S. institutions of higher education and non-profit organizations, including research labs, professional societies, or other U.S.-based organizations affiliated with research and education activities. There are no restrictions on the number of proposals submitted by an organization or principal investigator (PI).

**Sources and additional information:**


**Engagement Opportunity: NIH Releases RFI on Diet-Related Exposures and Developmental Origins of Health and Disease**

The National Institutes of Health (NIH) Office of Nutrition Research (ONR) released a request for information (RFI) on the impact of diet, food environment, and related exposures on the developmental origins of health and diseases (DOHaD). This issue area is of top concern to the NIH as diet-related diseases, particularly diabetes and obesity, are on the rise across the United States. NIH is seeking responses to inform the agency’s future research on the effects of parental health and nutritional status and eating behaviors during pregnancy and in early developmental stages on their children’s growth, eating patterns, and vulnerability to diet-related diseases. The RFI specifically solicits input on topics including research gaps on DOHaD, women’s health, or child development, including gaps specific to racial or ethnic minority populations; relevant social determinants for vulnerable or underrepresented populations; practices to address barriers and gaps in this research; potential pre- or periconceptual interventions; projected challenges in data collection; and more issues detailed in the RFI. Responses are due by **11:59pm on August 15, 2022**, and must be submitted to nutritionresearch@nih.gov. More information is available in the full RFI.