

February 3, 2020



Federal judge orders state to offer prison inmates COVID-19 vaccines immediately

Oregon Public Broadcasting [reported](#) late Tuesday that a federal judge ordered Oregon officials to offer state prison inmates COVID-19 vaccines, immediately.

U.S. Magistrate Judge Stacie Beckerman granted a temporary restraining order brought as part of a larger case by a group of prison inmates. They've criticized the state's response to the pandemic inside prisons and argue it's violated the U.S. Constitution. **The ruling applies to more than 12,000 inmates who live in one of the state's 14 prisons.**

Oregon's 81st Legislative Assembly

Oregon Senate seats now full with appointment of Bill Kennemer for SD 20

Following Sen. Alan Olsen's (R-Canby) retirement announcement, the Clackamas and Marion County commissioners met to appoint his replacement. As is Oregon law, the appointee must be of the same political affiliation, so the balance of R/D is unchanged. Today, the county commissioners [appointed Bill Kennemer](#) to the vacant seat. If that name sounds familiar, it is because Senator-Elect Kennemer previously served in the Senate from 1987-97 and in the House from 2009-19.

Legislators weigh in on vaccination strategy, call for prioritizing BIPOC communities

As lawmakers have received more information about the state's vaccination rollout, some have begun weighing in to the Vaccine Advisory Committee (VAC), the group responsible for advising the OHA and Governor Brown on the prioritization of groups to receive COVID-19 vaccines.

The 12-member BIPOC Caucus (Black, Indigenous, and People of Color) sent a [letter](#) to the VAC last week, urging the committee to prioritize BIPOC communities: "We recognize that the limited supply of vaccines from the federal government is the larger fundamental issue that is causing this vaccine scarcity in our state, and we appreciate your focus on racial equity. However, these frontline and essential workers, adults in custody, and people in low-income senior housing and other congregate care settings, are disproportionately BIPOC, and by prioritizing frontline and essential workers and communities, we are centering BIPOC communities."

House and Senate committees hear updates on vaccine effort

On Monday, lawmakers heard from various agency and community partners about the rollout of vaccines in long-term care facilities in a joint meeting of the House Human Services Committee and the House Health Care Subcommittee on COVID-19. It is clear that there have been many hiccups along the way, as has been the case for other priority groups as well. From tracking doses to combatting misinformation, the long-term care vaccine program has struggled to get off the ground as quickly as we all would hope.

Last week, lawmakers questioned OHA director Pat Allen about Governor Brown's recent decisions to [vaccinate educators](#) before the elderly (who are not currently living in a long-term facility, as those folks are included in the first phase of eligible individuals). "There is a tension between go thorough and go fast," Allen responded. "If fast is the only thing we focus on, we leave some really vulnerable people behind."

Regulatory

Public Charge Rule to be Revisited Under Biden Executive Order

Yesterday, President Biden signed an executive order directing federal agencies to revisit the Trump Administration's Public Charge Rule, which denies green cards to legal immigrants based on their potential use of public benefits, including Medicaid. Health experts and advocates say the public charge rule has a chilling effect on Medicaid enrollment for immigrants.

340B Program

On Friday, January 22, 2021, a 60-day notice of delay on the 340B Insulin/Epipen rule was announced in the Federal Register. This is a positive development, as it would have gone into effect on January 23, 2021.

Drug maker Sanofi to allow CHCs with NO in-house pharmacies to receive 340B drugs at a single contract pharmacy – without having to submit extensive data. Sanofi's reversal puts them inline with the other two drug makers – Eli Lilly and Astra-Zeneca – have always offered that CHCs with no in-house pharmacy could select a single contract pharmacy to receive 340B-priced drugs. Sanofi's announced these changes will take effect starting March 1.

Health centers choosing this option are required to register on the website where Sanofi requests extensive data on 340B sales; however, CHCs are not required to provide this data in order to select a single contract pharmacy.

Capitol Hill

GOP Senators met with President Biden; Biden willing to push ahead without GOP

Ten Republican Senators led by Sen. Susan Collins (R-Maine) met with President Biden on Monday this week to reach a compromise on COVID-19 relief legislation. The Senators pitched their proposal for a \$618B bill as a counter to Biden's \$1.9T bill. The meeting was polite, but no significant changes were announced. Biden will continue to advocate for his \$1.9 trillion dollar package to be passed as one bill, with or without GOP input.

On the same day, House and Senate Democrats introduced a joint budget resolution that instructs committees to begin drafting President Biden's \$1.9T coronavirus relief plan over the next two weeks. Democratic leaders are debating whether to use Budget Resolution process and Budget Reconciliation procedure to evade the legislative filibuster and pass Biden's proposal with 51 votes in the Senate in the coming weeks.

Community Health Center funding and other policies will be finalized over the next few weeks by House

Committees. After the impeachment trial, the Senate will resume Presidential Cabinet nomination hearings and start debate on the Biden package.

Becerra nomination still not scheduled; eventual confirmation expected

President Biden has nominated Xavier Becerra, former California Attorney General, as HHS Secretary. After Democrats gained control of the Senate, this made an easier path forward for a successful confirmation. The Senate HELP and Finance Committees are currently vetting the HHS Secretary nominee. We expect the Senate to resume confirmation hearings after the impeachment trial.