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6 THE FISCAL YEAR 2023 HHS BUDGET

7 WEDNESDAY, APRIL 27, 2022

8 House of Representatives,

9 Subcommittee on Health,

10 Committee on Energy and Commerce,

11 Washington, D.C.

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15 The subcommittee met, pursuant to call, at 10:18 a.m.
16 in the John D. Dingell Room, 2123 of the Rayburn House Office
17 Building, Hon. Anna Eshoo [chairwoman of the subcommittee],
18 presiding.

19 Present: Representatives Eshoo, Butterfield, Castor,
20 Sarbanes, Welch, Schrader, Cardenas, Ruiz, Dingell, Kuster,
21 Kelly, Barragan, Blunt Rochester, Craig, Schrier, Trahan,
22 Fletcher, Pallone (ex officio); Guthrie, Upton, Burgess,
23 Griffith, Bilirakis, Long, Bucshon, Hudson, Carter, Dunn,
24 Curtis, Crenshaw, Joyce, and Rodgers (ex officio).

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26 Staff Present: Lydia Abma, Fellow; Jacquelyn Bolen,
27 Health Counsel; Jesseca Boyer, Professional Staff Member;

3664 have talked over my time.

3665 Madam Chair, I yield back, and thank you for
3666 accommodating [inaudible].

3667 *Ms. Eshoo. The gentlewoman yields back.

3668 Mr. Secretary, I want to ask you to do something. I
3669 know that you are 10 minutes past where you want to be. Mr.
3670 Palmer is waiving on, Mr. Palmer of Alabama. Would you take
3671 his questions? And then --

3672 *Secretary Becerra. Certainly.

3673 *Ms. Eshoo. Okay. The gentleman from Alabama is
3674 recognized for five minutes to question.

3675 *Mr. Palmer. Well, thank you, Madam Chair.

3676 I truly appreciate your indulgence, Secretary Becerra.
3677 I have expressed this concern in other hearings, and I think
3678 we are facing a crisis of confidence in our nation, public
3679 confidence in many of our institutions. A lot of it has
3680 borne out of the handling of COVID. We have become even more
3681 divided as a nation, and it is impacting health care and the
3682 trust in health care.

3683 And what I want to ask you about -- and I hate to do
3684 this, but HHS has just issued a medicare physician fee
3685 schedule final rule that includes a provision that will
3686 provide a financial incentive for doctors to create and
3687 implement an anti-racism plan. And that is raising a lot of
3688 concerns among people. And I just want to hear from you a

3689 little bit about how this is going to operate.

3690 And I will tell you my concerns. I think it undermines
3691 public confidence in two ways. I think it raises questions
3692 in the minds of minorities that, if they see a physician who
3693 is not of the same race or color, that they are not going to
3694 get quality care. And it undermines the confidence of people
3695 who are White that they are going to be discriminated
3696 against. How would you address that?

3697 *Secretary Becerra. Congressman, I want to be as
3698 thoughtful in my answer as you were in the question.

3699 First, we don't have a policy as you have described.
3700 Our policy is to try to tackle the disparities that we see in
3701 health care access. There are -- I could tell you the number
3702 of stories I have heard from women, mostly Black women, who
3703 go in to get care and they are not believed when they say
3704 that they are in pain. There are people who have
3705 experienced, because of sickle cell, experienced deep, deep
3706 pain when they presented in an emergency room, aren't
3707 believed, and don't get immediately the treatment that really
3708 should be provided to someone who is suffering from sickle
3709 cell disease.

3710 We know that this happens. To ignore it is to ignore a
3711 travesty our in our system. We are simply trying to say that
3712 no one should be denied health care simply because the
3713 disparities that exist prevent you from getting the care you

3714 need.

3715 *Mr. Palmer. But we already --

3716 *Secretary Becerra. We are going to try to tackle those
3717 the best we can.

3718 *Mr. Palmer. Yes, but we already have those rules.

3719 And by the way, one of my best friends, Dr. Tim Townes,
3720 was one of the leading researchers in the world at the
3721 University of Alabama Birmingham on sickle cell research, and
3722 he is White, and he has devoted his entire career to that.

3723 And I just -- I want you to understand that there is a
3724 divide that is being created here that is going to further
3725 undermine public confidence. And we have to be extremely,
3726 extremely careful about how we address these. All of us, not
3727 just the Biden Administration, but all of us.

3728 *Secretary Becerra. I agree.

3729 *Mr. Palmer. And it creates serious concerns that, you
3730 know, if you go into a doctor's office and you think if you
3731 put down you are White, you are not -- you are going to be --
3732 it --

3733 *Secretary Becerra. But Congressman, to that point, if
3734 you will permit me, it is -- much of this is driven by the
3735 myths and disinformation. I would challenge you to show me
3736 where in our policies we call anything we are doing
3737 anti-racism policies. We are simply trying to make sure
3738 everyone has equal access to health care.

3739 *Mr. Palmer. Well, if there are doctors out there that
3740 are discriminating against anybody for any reason, they need
3741 to be dealt with in another manner, because that is totally
3742 unacceptable, totally unacceptable.

3743 *Secretary Becerra. I agree with you.

3744 *Mr. Palmer. So I just want to raise that point, let
3745 you know that this is an issue. There are people out there
3746 that have raised concerns to me about it, and I intend to
3747 address it further at the appropriate time.

3748 But I do appreciate very much you answering the
3749 question, and your assurances that it is not the intent of
3750 HHS to discriminate against anyone. I will hold you to that.

3751 And also, again, I sincerely appreciate you staying 30
3752 minutes past the original time that you said you would give
3753 us.

3754 And with that, Madam Chairman, I will yield the
3755 remainder of my time.

3756 *Ms. Eshoo. The gentleman yields back the remainder of
3757 his time.

3758 And, Mr. Secretary, thank you for accommodating the
3759 members and the member that has -- that waived on, and that
3760 you would take their questions. It is very generous of you.
3761 Thank you for being here today. We have covered a lot of
3762 ground.

3763 I would just quickly raise two points, Mr. Secretary.