



House Appropriations Subcommittee on Departments of Labor, Health and Human Services, Education, and Related Agencies

FY 2022 Budget Request for the Department of Health and Human Services

April 15, 2021

10:00 A.M., Virtual Hearing

Purpose

The purpose of this hearing is for the Committee on House Appropriations Subcommittee on the Departments of Labor, Health and Human Services, Education, and Related Agencies to discuss the fiscal year 2022 budget request and justification with Secretary Xavier Becerra.

Members Present

Chairwoman DeLauro, Ranking Member of the Subcommittee Cole, Representatives Roybal-Allard, Lee, Pocan, Clark, Frankel, Bustos, Watson Coleman, Harris, Herrera Beutler, Moolenaar, Harder, Cline, Fleischmann, and Lawrence

Witnesses

The Honorable Xavier Becerra, Secretary, U.S. Department of Health and Human Services (HHS)

Opening Statements

Chairwoman Rosa DeLauro (D-CT) opened the hearing by stating that the ongoing response to the pandemic to many long-standing issues would be discussed in the hearing. In the coming weeks, the subcommittee will hold additional budget hearings. It is an immensely critical time in recovering from health and economic emergencies. Recently, the Administration's infrastructure proposal was released and it will build on the investments delivered through the American Rescue Plan. Now, the Biden administration is taking the lead for the budget request for the Department of Health and Human Services (HHS) that will improve the lives for many families. The investments are vital and are beginning to address systematic downfalls. This budget proposal and the administration's response to the pandemic are great steps in a great direction.

Chairwoman DeLauro asserted that the public health infrastructure system collapsed under the pandemic. She added that policymakers must continue to address health failures, such as maternal mortality, the opioid epidemic, childcare and early education programs. The time has come to reckon with the status quo and view the budget through a lens of health equity. The inequities have been exposed through the COVID-19 pandemic, and now is the time to empower communities, such as women and people of color. She also raised the issue of children at the U.S.-Mexico border and protecting vulnerable populations. Oversight and monitoring of these facilities is more important than ever. Legal, health and

education, and relief services are necessary. It is time to be ambitious and do whatever it takes to put the country back on track and chart a better and more equitable force forward.

Ranking Member Tom Cole (R-OK) acknowledged the work of HHS during the pandemic. Despite the many challenges, he was proud that Congress came together to create emergency funding packages. President Biden pledged unity and, and Ranking Member Cole hopes there is recognition on the role of bipartisanship. The National Institutes of Health (NIH) provides the critical research leading to innovation for treatments. The opioid epidemic, maternal mortality, and the humanitarian crisis at the border are all topics of importance. America cannot afford to cut back on defense spending, which may require adjustments in domestic spending. Some funding packages spend more than what the nation can afford. He agreed that more needs to be invested in biomedical research and public health. The current pandemic has demonstrated the wisdom of this investment and used this lesson to lead future generations. The success of Operation Warp Speed to distribute vaccines is unprecedented in medical history. The country needs to be ready to respond to any event to protect the health of the country.

Testimony

HHS Secretary Xavier Becerra said the COVID-19 pandemic has impacted vulnerable communities. This budget increase underscores addressing racial disparities in health care and preparing the country for further emergencies. It provides an increase for the strategic national stockpile, which has served a critical role in response. Additionally, the president's budget addresses violence in communities. \$489 million is allocated to help protect domestic violence survivors. The Centers for Disease Control (CDC) will also receive \$100 million to establish community-based programs on gun violence, which is a public health issue disproportionately impacting communities of color. The request invests money to reduce maternal mortality and also funds rural programs and expands the pipeline of rural providers. The budget includes an increase for the Indian Health Services (IHS) and also increases funding for the Office of Civil Rights. The budget provides money for the Title X program to advance gender equity and invests money for child development, child welfare programs, and state and locals grants to address disparate outcomes for vulnerable communities. The budget addresses opioid use disorder and expands the behavioral health provider workforce, especially for underserved areas. The budget provides money to the community service block grant program to expand mental and behavioral health services. Money will also be going towards research, especially with a focus on diabetes and Alzheimer's. These investments will speed application and implementation of health breakthroughs. It is critical the funds are used appropriately and they invest in integrity. To build back America, they need a healthy America.

Questions and Answers

Chairwoman DeLauro noted the budget inclusion of money for refugees, including the unaccompanied children program. She asked what is being done to expedite the safety of children at the border. **Mr. Becerra** stated he takes the matter seriously and they must care

for the children at the border. In the process of receiving children at the border, they are providing the required care, such as licensed care facilities, until they find a sponsor. They will also get the medical, education, and recreational services needed for minors. There are fewer and fewer spaces, and they are ensuring that each child is receiving the necessary resources. HHS is also vetting sponsors to ensure the safety of the child. **Chairwoman DeLauro** said that emergency intake signs have been set up, but there's been reduced capacity of state licensed shelters. She asked what the plan is to address the shortage of case workers at the border. **Mr. Becerra** said the emergency sites still offer basic services for children and they are increasing the number of case workers to get children placed with sponsors. They have increased the number of intake workers and have called for volunteers to help in that regard.

Ranking Member Cole said that he agreed with the advocacy for the increase in IHS and the importance of forward funding. He said that the infectious disease response fund is necessary and is curious about the plans going forward. **Mr. Becerra** said they will be discussing forward funding with Indian country about. He recognized the importance of Biomedical Advanced Research and Development Authority (BARDA) for addressing future pandemics. **Ranking Member Cole** said that they will not reduce the conscience division. **Mr. Becerra** said that his responsibility is to follow the law and Congress will decide what that law is through legislation. At HHS, they will follow the law and will take input from all parties to move forward. **Ranking Member Cole** said that he agrees with the NIH and CDC budgets.

Representative Coleman (D-NJ) affirmed her belief that everyone must be treated with dignity and respect. She maintained that looking at best practices and focusing on accountability is necessary to address maternal and infant mortality, especially for black women. She also said that the focus on mental health is important, especially for communities of color, and that she hopes that the budget will support these issues. She avowed the need for more grant money and funding for research on these communities and queried whether there had been discussions with NIH to fund these initiatives. **Mr. Becerra** commented that equity will permeate everything they [HHS] do. They want to make sure it is done in a way to incorporate everyone and welcomes all input. The budget provides more than \$200 million to address the issues of maternal and infant mortality.

Representative Harris (R-MD) stated that he is concerned about the implementation of legislation addressing surprise billing, and he was particularly worried that stakeholder input may be bypassed. **Mr. Becerra** said that they will take the comments necessary to ensure that their actions are based on science and the law. **Representative Harris** said that with regards to health security, there is a statement on the budget proposal that it implies that it is not just restocking expired materials, but also expanding into areas that are more forward-working. **Mr. Becerra** said that is right, that they are learning from COVID to be prepared. **Representative Harris** asked what the vision for Advanced Research Projects Agency for Health (ARPA-H) is. **Mr. Becerra** said they are working towards transformational research and how quickly the private-public partnership can move research. They want to trigger transformation faster. With ARPA-H in development, they want to speed up the transformation through more funding. **Representative Harris** said

that they already have funding in this field, and it may just duplicate what they already have.

Representative Roybal-Allard (D-CA) said she appreciates the maternal mortality initiative to address the crisis. She noted a previous plan to recognize the disparities, which included a call to action to improve maternal health. She asked if it was the goal of the budget to continue to further this plan and improve maternal health. **Mr. Becerra** agreed that this is a priority. **Representative Roybal-Allard** said that it is important to continue reinforcing the advisory committee to protect new born babies, and asked if HHS will continue to do so. **Mr. Becerra** said that he understands the value and that they will move forward in this initiative.

Representative Fleischmann (R-TN) said that there is a crisis at the border that includes a number of unaccompanied minors entering into the country. On U.S. soil, these children must be treated with compassion. He asked that, given the surge in minors and lack of bed space, what funding levels are necessary to maintain the Office of Refugee Resettlement (ORR) program. **Mr. Becerra** said that they are expanding the capacity as quickly and safely as they can. They will not jeopardize the safety of the child. **Representative Fleischmann** asked about the reporting initiatives. **Mr. Becerra** said that HHS will work with local partners for reporting measures and will operate in a transparent manner.

Representative Lee (D-CA) said that funding to fight the human immunodeficiency virus (HIV) epidemic is important and collaboration with other agencies is essential to eradicate HIV in all geographic areas, especially populations of color. She said that declaring racism as a public health issue is also a priority and asked what HHS is doing to dismantle systems and structures that lead to racism. She also wondered about ways in which the Customs and Border Patrol (CBP) will relieve the burdens of all actors at the border. **Mr. Becerra** said that there is money being put behind all these initiatives. For the mission of HHS in addressing children at the border, their goal is to care for these children. The number of children coming through is a challenge and case managers are important. Making sure they don't cross outside of the HHS lane versus the Department of Homeland Security is important.

Representative Herrera Beutler (R-WA) asked about HHS initiatives for unaccompanied minors once they are released into the U.S. **Mr. Becerra** said that they have a responsibility to reunite these children with their families as quickly as possible. **Representative Herrera Beutler** said that the FBI vetting of sponsors has ceased because of the overwhelming numbers of children, which means that some children are being trafficked. **Mr. Becerra** said that this is a legitimate concern, and this is why it can take time to transfer the children to responsible hands. There have been cases of children being put into the hands of traffickers, and HHS is working with all agencies to do background checks and verifications that the sponsor is trustworthy. **Representative Herrera Beutler** asked if these children are COVID-negative. **Mr. Becerra** said they are aware of the status of COVID in each of these children. **Representative Herrera Beutler** said that the investment and leadership in maternal mortality and opioid use is important. She asked about targeting the specific needs of certain populations. **Mr. Becerra** said that COVID-19 has made these

situations more difficult, but HHS is making sure they are reaching settlements with opioid manufacturers and ensuring the most effective solution.

Representative Pocan (D-WI) asked about fetal tissue research and admonished the last administration for removing funding for this research. He asked about non-discrimination in research, as well as the issue of preventing opioid use. He also requested information on the resettlement of children from the border and improve the numbers coming in. **Mr. Becerra** said that an announcement on the fetal-tissue research ban will be made soon, and there needs to be research done to foster innovation. On non-discrimination, he ensured fair treatment and a commitment to enforcing non-discrimination laws.

Representative Moolenaar (R-MI) commented that a bipartisan letter was sent to the president to increase vaccines delivered to his state of Michigan. **Mr. Becerra** said that given the work the administration has done, the vaccine rollout has been impressive. They are ensuring they have the supply they need and are moving in the right direction. In addressing states that need a vaccine increase, they will work with the state to ensure adequate vaccine supply. **Representative Moolenaar** stated that they have seen the importance of telemedicine and asked about flexibility. He noted that broadband is an issue in rural areas. **Mr. Becerra** said that telehealth has helped so many Americans have access to health care and he hopes to work with Congress to ensure barriers are removed in order for people to have access to the quality health care they are entitled to.

Representative Clark (D-MA) said that the childcare crisis is an important issue. One out of four women have left the workforce because they can't find care for their children. She asked how Mr. Becerra how he views childcare as economic infrastructure, especially helping low-income women. **Mr. Becerra** said that the president is making a major investment for childcare. Caring for kids is important and they will ensure the money is well-used. The economic vitality relies on this because childcare props women to thrive and succeed in the workforce. **Representative Clark** asked how the distribution of the American Rescue Plan is going and ensuring funding is getting the childcare providers. She also asked about the concern on discretionary funding to offset a potential cliff once they exhaust the funding. **Mr. Becerra** said that a partnership with Congress is necessary to continue to have predictability and oversight for accountability. Some of this money will be delivered through formulas and grant funding. They expect accountability through oversight to ensure the dollars reach the child.

Representative Cline (R-VA) said that many of the unaccompanied minors crossing the border have tested positive for COVID-19, which allows the virus to spread. He believes there is a failure of the administration and HHS to adequately care for these children from contracting and spreading COVID. He asked what efforts are being undertaken to ensure that those crossing the border do not have COVID, and that they are stopped at the border before entering the country. **Mr. Becerra** said that the concern of HHS is to provide the necessary care. HHS is being transparent because it is important. When it comes to COVID, each child is tested and they do not release a COVID-positive child. They provide care for COVID-positive children, but challenges have arisen. However, they are still protecting the public and offer care to these children according to the law.

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Representative Frankel (D-FL) said that the daycare industry is in crisis. Now, getting parents, especially women, back to work is difficult. Parents cannot get back to work if they don't have safe nurturing places for their children. She also stated that the Hyde amendment is the highest form of discrimination against low-income women. She said that she appreciates the initiatives the administration has done for women to get access to health care services. She asked about the birth control mandate under the Affordable Care Act (ACA). She said that the women should decide what type of birth control they are on, not their employer. She asked about access to contraception under the ACA. **Mr. Becerra** said that he is unable to respond to these questions because of his previous role as Attorney General. **Representative Frankel** said that every day, 10,000 people turn 65 years old and the number of older adults is increasing. She said there is a big request to help home and community-based services (HCBS) to help older adults and individuals. She inquired about how this funding is going to be used. **Mr. Becerra** said that they are going to make sure the Biden administration ensures caregivers of family members can stay where they are and make a living as well. The budget provides \$550 million to HCBS, which is an increase about \$150 million over the previous year. HHS also wants to ensure that older Americans can have access to nutrition programs.

Representative Bustos (D-IL) said that the CDC social determinants of health (SDOH) program is important. The program provides grants to state and local programs to combat SDOH such as food insecurity and long-drive times that negatively impact health outcomes for people. The \$153 million request in the budget for SDOH is important. Additionally, the SDOH Interagency Council was requested, and she wanted to know the status of the council. **Mr. Becerra** said he does not know the status of this council, but will get back to her with further information. **Representative Bustos** asked when local communities will be able to apply for the SDOH grant. **Mr. Becerra** said that he does not have the answer, but will ensure to get back to her on grant applications. **Representative Bustos** asked about what he envisions the \$153 million will be used for, on a high level. **Mr. Becerra** stated that looking at every corner of communities is important. They will need to partner with local communities and look to community leaders to guide how they should approach this work. They should be able to come up with a way to address SDOH, and accountability is important throughout all of this.

Representative Harder (D-CA) said that COVID has exposed cracks in the healthcare system, specifically the lack of necessary staff to support healthcare needs. The American Rescue Plan has increased funding for healthcare staff and he asked how that will boost capacity needs in the country. **Mr. Becerra** said that personnel is vital for access to testing. The workforce effort is that to ensure each community will have the necessary individuals to address public health needs, such as increased number of residency slots or new facilities that can provide training and services. **Representative Harder** asked about the permanency of these healthcare positions. **Mr. Becerra** said patterning with communities is important to ensure position permanency. **Representative Harder** said he has worked to expand the loan-forgiveness program and ensuring healthcare availability. He inquired about what else can be done to get providers in underserved areas. **Mr. Becerra** said that starting initiatives now is important so HHS can work with underserved communities.

Representative Lawrence (D-MI) said that she is appreciative of the skinny budget and all that Biden has done. There is a gun violence problem in the country and an issue with violence from police. She asked about increased funding for mental health and law enforcement partnerships, adding that children are being confronted with a different reality than generations before, so they must infuse in education of mental health components. She asked what is being done to incentivize students getting degrees in mental health and how this will help the shortage of mental health providers. **Mr. Becerra** said that gun violence is the third leading cause of death, which has led to the development of community-based initiatives. HHS is committed to addressing these issues, and President Biden has made it a priority to fund mental health services. The budget is a statement on values of the president. **Representative Lawrence** asked about the plan to meet the need of mental health providers and the shortage of providers. **Mr. Becerra** said that a more competitive salary is necessary to draw in mental health care providers.